

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Vara Birapaka,

Plaintiff,

vs.

U.S. Army Research Laboratory, et al.,

Defendants.

Civil File No. 17-cv-04090-PAM-KMM

**DEFENDANT GENERAL  
DYNAMICS CORPORATION'S  
MOTION TO DISMISS PLAINTIFF'S  
AMENDED COMPLAINT**

Defendant General Dynamics Corporation, by and through their undersigned counsel, hereby respectfully moves the Court for an Order dismissing Plaintiff's Amended Complaint (Dkt. No. 71) with prejudice in its entirety for failing to offer a short and plain statement of the claim and failing to state a claim pursuant to Federal Rules of Civil Procedure 8 and 12(b)(6).

This motion is based upon all the files and records herein, including Defendant's previously-filed memorandum of law (Dkt. No. 34) and all exhibits and affidavits thereto, expressly incorporated herein in by reference, which have been submitted in compliance with the Federal Rules of Civil Procedure and the rules of this Court, as well as the arguments of counsel.

Dated: December 20, 2017

By s/ Jaime Stilson

Jaime Stilson (#392913)  
stilson.jaime@dorsey.com

**DORSEY & WHITNEY LLP**

Suite 1500, 50 South Sixth Street  
Minneapolis, MN 55402-1498  
Telephone: (612) 340-2600  
Facsimile: (612) 340-2868

Michael A. Doornweerd

*(pro hac vice)*

Nathaniel K.S. Wackman

*(pro hac vice)*

**JENNER & BLOCK LLP**

353 N. Clark St.  
Chicago, IL 60654-3456  
Telephone: (312) 222-9350  
Facsimile: (312) 527-0484

*Attorneys for General Dynamics  
Corporation*